

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

2017 FEB 27 PM 12:49

STEPHAN LARRIS, CLERK
CASPER

Hello my name is Rogelio Rodriguez Jr.
I am incarcerated at Park County Detention Center on January 12th 2017 8:15 Am inspection time mail was passed out Deputy Tucker handed me a legal mail envelope from United States District Court 111 S. WOLCOTT Room 121 Casper, WY 82601, I noticed it had been opened seal peeled off I immediately told Deputy Tucker my legal mail had been opened and that I needed a grievance and the name of the Deputy who had opened it so I could address the grievance he brought me a grievance and told me Deputy Longo was the one who opened the my legal mail, I filled out the grievance and addressed the issue to Deputy Longo I got an answer back, did not find any resolution so I appealed the grievance exhausting all remedies. February 17 8:20pm I handed the grievance appealed to Deputy Toohy to hand it to Deputy Longo who is working in Booking tonight 8:2pm I am waiting for the response. I also wrote a miscellaneous request to Lt Torczon asking to speak to DCI or sheriff about my legal mail being opened before it got to me, Lt Torczon answered back I couldn't not because in the computer it says issue resolved, I wrote back that the issue is not resolved and why am I being denied that action. February 17th I wrote another request asking to speak to DCI or sheriff

about my legal mail being opened. in
all issues I have grived I have been
deniced to speak with DCI or Sheriff
I feel I am being striped of my rights
I need Help please Dont Know what
else to do or who to talk to my civil
rights are being violated over and over
I feel I m being treated like an Illegal
Alien please help me I was born in
The united states with That said
Thanks for your Time Much Respect

X Rogelio Rodriguez Jr

MISCELLANEOUS REQUEST FORM

From: Rogelio Rodriguez Jr To: Lt Torczon Pod: D Date: 18th

Lt Torczon I would like to talk to DCI or Sheriff
about my legal mail to the United States District Court
being opened before it got to me at mail pass this
issue has not been resolved as I am appealing
the grievance I wrote February 12th 2017 with that
said thanks for your time much respect R.R.

You are currently grieving this issue and you need
to continue the grievance process in its entirety as outlined
in the inmate Rules and Regulations. Lt. Torczon is next in
line to answer your appeal if you so choose

POC Admin

Towards Deputy Longo

Park County Detention Center

Grievance Form

Date: February 12th
Time: 8:15 AMName: Rogelio Rodriguez Jr

Please state clearly the nature of your grievance.

On January 12th at mail pass they handed me a legal mail letter from the United States District Court. I noticed the seal was broken tape was peeled off resulting my legal mail being opened no matter how its sealed legal mail is not to be opened by staff. inmates are supposed to open or break seal in front of Deputy for security reasons in this case my legal mail was opened before it got to me. The Tape over the seal was peeled off of a federal legal mail documents. Thanks for your time much respect

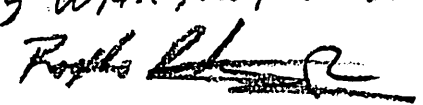
Signature: Rogelio Rodriguez Jr

Response

As noted upon my initial response within Computer. The back of your legal envelope had three pieces of tape. One piece was removed and I noticed the back flap was not sealed so I did not remove the other two pieces of tape. I wrote on them, please remove when delivered. I did not have access to the contents of this envelope. You may wish to speak with the deputy or deputies whom delivered the envelope/letter to you.

Signature: M. Longo J-21 Date: 2-12-17Do you wish to appeal? ☒ (yes or no)

If yes, why do you wish to appeal? Please answer on reverse side.

Mr Longo Case 2:17-cv-00023-SWS Document 23-1 Filed 02/18/17 Page 5 of 8 I
asked who opened or peeled off the seal because I have to
address this grievance he mentioned it was you I don't
know what is going on but some body open my legal mail
a federal offence if it wasn't you I would like to
know who did please? There shouldn't of been anything
peeled off regardless to what was used to seal my legal
mail it should of been brought back to me and I would of
opened the legal envelope in front of Deputy's in this case
it was already opened exposing the legal documents some body
needs to take accountability for this action or some body needs to
be held accountable I respect you Mr Longo it's nothing personal
but what happened was wrong with that said thanks for your
time much respect R.R. ~~Rock~~  Appeal

02-18-17

Typed formal appeal Attached

Sgt. J Haeen

used this back unused
Please
no not
need

MAIL

Newspapers will be distributed from Level 1 to Level 6 in that order.

You may receive legal and personal mail. To receive mail, please inform anyone sending mail to address it as follows:

"Inmate Name" c/o Park County
Detention Center
1402 River View Dr. Cody, WY 82414

Inform anyone sending mail to you while incarcerated to refrain from placing stickers, lipstick, or other transferable materials such as perfume in or on the mail.

Incoming personal mail will be opened, scanned, and inspected before you receive it. All gummed portions of the envelope, postage stamp and any other stickers or adhesives will be removed. Some items sent to you by mail will not be allowed in your possession while incarcerated; these include photos, puzzles, calendars, computer generated material excluding letters and computer generated legal items (Supreme court case law, Wyoming case law, Wyoming Statutes, etc). These items, when not allowed to be in your possession while incarcerated, will be placed with your personal belonging in the locker room and provided to you at your release. At no time will you be allowed access to these items stored in the property room.

If an item received is illegal per Wyoming State Statute or federal regulation, it will be seized and an investigation will be conducted.

Envelopes received with lipstick, or other transferable materials, placed on them will be disposed of during inspection. A note will be attached to the letter with the name and return address of the sender. Letters received with lipstick, or other transferable materials, placed on them will be placed in the inmates' property or returned to sender. Letters received or sent that have been written in any type of code will be placed in the inmates' property and will not be sent or provided.

Oversized cards or cards with electronic devices will be returned to sender or placed in your property.

Cash or accepted negotiable instruments received in the mail will be deposited on your account per the Detention Center's policies. Personal checks are not accepted and will be returned to the sender.

Outgoing personal mail is to remain unsealed when you hand it in for delivery. Mail will be picked up Sunday through Friday for outgoing delivery the next day to USPS, with the exception of holidays. Mail must have the proper postage on it to be delivered.

Do not write on Detention Center forms and attempt to send them. Detention Center forms of any type will not be allowed as mail.



Incoming legal mail will only be opened in your presence. No deputy will read your legal mail; however, a deputy will check the legal mail in your presence for possible contraband, (staples and paperclips are considered contraband).



Contraband will be removed from your legal mail. *in this case my legal mail was opened before it got to me regardless to what was used to seal it*

Outgoing legal mail is to be sealed by the inmate. Legal mail will be picked up at the same time as the personal mail, and must have the proper postage.

There is no limit on the amount of legal mail an indigent inmate may send out. If indigent and you use one of your pre-stamped "indigent" envelopes for legal mail, immediately upon turning in the legal mail, request a replacement pre-stamped envelope from the Deputy picking up the mail. A delayed request will not be honored.

Photocopies of legal, or legal type documents, may be done for an inmate at a cost of \$.10 cents per copy if time allows. If it is known that you have family or friends that could do this for you, you may be instructed to mail the item(s) out and have them make the copies for you. All other requests for copies will be denied. No photocopies will be done if the material is hand written. In the case of a hand written page, the inmate can re-write a copy for themselves.

Personal mail between inmates within this facility will not be allowed, unless court ordered, or approved in advance by the Detention Center Administrator.

Correspondence between confined inmates. An inmate may be permitted to correspond with an inmate confined in any other penal or correctional institution if the other inmate is either: a member of the immediate family, or is a party or witness in a legal action in which both inmates are involved. Correspondence between confined inmates must be approved by the Detention Center Administrator.



HEALTH CARE SERVICES

MEDICAL



No inmate will be denied reasonably **necessary** medical care based on financial status. The cost related to any facility provided medical care will be deducted from the inmates account. Medical deductions resulting in a negative balance

February 18, 2017

Mr. Rodriguez this is the formal response to your grievance appeal regarding your complaint of Deputy Longo breaking the seal or ripping off the tape of your legal envelope.

Deputy Longo advised you verbally as well as in writing that when he was processing and logging your legal envelope it had three pieces of tape on top of the seal. Per mail protocol all tape, stickers, stamps, etc are to be removed from the envelope prior to being delivered to the inmate, hence why Deputy Longo was attempting to remove the 3 layers of tape from the envelope. When he removed one piece of the tape he noticed that the back flap was not sealed so he did not remove the other two pieces of tape. He then wrote on the tape with a black sharpie "please remove when delivered" and made a detailed note in your mail log.

Deputy Longo followed proper mail protocol when dealing with your legal envelope. He did not open your legal mail out of your presence, nor did he have access to the contents within the legal envelope.

Sgt. J Hallis

notes: again no resolution my legal mail was opened before it got to me there shouldnt not be any tape or seal removed with out my precence